

# Standards of Conduct for the State of California Procurement and Contracting Professionals

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<b>Purpose</b>	These standards establish a framework for expectations for State of California procurement, contracting, and other professionals conduct when involved in an acquisition process.
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<b>Basic Expectations</b>	The standards are not intended to be all-inclusive. As such, good judgment must be exercised when performing any acquisition-related activity.
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<b>Who must comply?</b>	The standards set forth in this document pertain to rank and file employees, supervisors, managers and executives engaged in, or responsible for, procurement and contracting on behalf of the State of California.
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<b>When does it apply?</b>	<p>These standards apply to any aspect of a procurement and/or contract process including the following examples:</p> <ul style="list-style-type: none"><li>• Acquisition Planning (conduct market surveys or site visits, prepare or approve requisitions, etc.)</li><li>• Solicitation Phase (prepare solicitations or other acquisition documents, conduct solicitation process, negotiate, etc.)</li><li>• Supplier Selection (evaluate responses, place orders or award contracts, prepare contract documents, approve orders and/or contracts, etc.)</li><li>• Post Award (implement or administer contract, accept goods and/or services on behalf of the State, approve payment for goods and/or services, etc.)</li></ul>
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<b>Failure to comply</b>	Any failure to adhere to the highest standards of integrity is subject to disciplinary action, including termination and/or to referral to appropriate enforcement agencies. Accordingly, failure to adhere to the standards listed below may be a basis for adverse action or for other appropriate consequences (depending on the facts, civil liability or criminal penalties might be appropriate consequences for violating the laws upon which standards are based).
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# Standards of Conduct for the State of California Procurement and Contracting Professionals, Continued

## Standards

The following table lists the standards of conduct for the State of California Procurement and Contracting Professionals.

Standard	Expectation
1	Use the appropriate resources. Be familiar and keep current with the State of California contracting and procurement manuals, applicable portions of the State Administrative Manual, and Management Memos and other documents governing contracting and procurement transactions.
2	Act for the benefit of the State. Ensure public money is spent solely for the benefit of the State and be consistent in the application of the letter and spirit of State laws, regulations, policies and procedures. With respect to transactions that you undertake on behalf of the State, you must account accurately for money paid and property/services received, and you must demonstrate a standard of reasonable care and skill that promotes public trust and respect.
3	Seek training opportunities to increase your knowledge and skill level. You and your supervisors and managers shall take all reasonable steps to enable you to participate fully in no-cost contract- and procurement-related training offered through the Department of General Services.
4	Routinely review all California laws that pertain to conflicts of interest and ethics in government, to ensure you are aware of changes and conduct business in accordance with the laws.
5	Read, understand and comply with your department's incompatible activity policy and other standard of conduct policies.
6	File a FPPC Form 700 <i>Disclosure of Economic Interests</i> , provided you are required to do so, in accordance with filing procedures.

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# Standards of Conduct for the State of California Procurement and Contracting Professionals, Continued

## Standards (continued)

Standard	Expectation
7	Avoid conflicts of interest. Do not use your job to obtain special benefits, directly or indirectly, for yourself or anyone else.
8	Consult with your supervisor immediately if you are uncertain whether you may be violating a standard of conduct or an ethical obligation.
9	Report to the appropriate person in your chain of command any requests to conduct work or provide goods/services in the absence of a contract/order or anything that is contrary, or in addition, to the contract terms.
10	Conduct the State's business in an honest and impartial manner.
11	Consistent with the requirements of the law, policy and common sense, maintain confidentiality in both written and verbal communications.
12	Refuse special favors and gifts from people who engage in or who are seeking to engage in business with the State.
13	Avoid any outside employment or activity that interferes with your ability to perform your State job.
14	Report the involvement of a spouse, relative or a friend in a transaction on which you are working, to the appropriate person in your chain of command.

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# Standards of Conduct for the State of California Procurement and Contracting Professionals, Continued

## Standards (continued)

Standard	Expectation
15	Request immediate assistance from your supervisor if you believe that any aspect of your assignment is beyond your understanding or ability as deemed appropriate by your department, your supervisor or other things that require you to undertake training or seek guidance from the Procurement Division or other appropriate subject matter experts at DGS).
16	If you are a supervisor, routinely assess the training needs of your staff. Ensure training opportunities and resources are available to meet those needs. Inform your staff about procurement and contract training opportunities, and do all that is practicable to facilitate your staff's participation in training.
17	Supervisors, managers and executives must be able to resolve contracting and procurement issues effectively and ethically and must refrain from exercising any pressure on staff that could be perceived as trying to influence an inappropriate course of action or outcome.
18	Supervisors and managers must ensure that they immediately inform executive management of their department when procurement and contracting problems (or potential problems) could cause undue expense or waste, discredit and/or embarrassment to the department in particular or to the State government in general.

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# Standards of Conduct for the State of California Procurement and Contracting Professionals, Continued

## Standards (continued)

19	<p>Executive management in all departments that engage in procurement or contracting is responsible for maintaining a positive and supportive work environment that fosters efficient and ethical procurement and contracting. This includes avoidance of real as well as perceived ethical conflicts. Executive management should:</p> <p>(a) Designate one ethics expert to provide guidance to the department's procurement and contracting personnel,</p> <p>(b) Establish a retaliation-free process that protects individuals who disclose information, and</p> <p>(c) Institute an employee recognition system to recognize success and excellence among the department's procurement and contracting personnel.</p>

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# Standards of Conduct for the State of California Procurement and Contracting Professionals, Continued

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**Acknowledgement\*** I have received the standards set forth in this document.

\_\_\_\_\_  
Employee Printed Name

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Employee Signature

\_\_\_\_\_  
Date

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**Certification of  
Distribution\***

On \_\_\_\_\_, \_\_\_\_\_  
Date Employee Printed Name

was given a copy of the standards set forth in this document.

\_\_\_\_\_  
Printed Name and Signature of Person Who Gave the Employee the  
Standards

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**\* Either the completed acknowledgement or the completed certification is to be kept on file by the department for which the employee works.**